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C O N F I D E N T I A L VIENNA 001242

SIPDIS

DEPARTMENT FOR EUR/SCE AND EUR/CE

E.O. 12958: DECL: 08/28/2018
TAGS: [PREL](#) [UN](#) [UNGA](#) [KV](#) [AU](#)
SUBJECT: AUSTRIA TO SEEK EU CONSENSUS ON KOSOVO ICJ
RESOLUTION

REF: STATE 91908

Classified by: Acting Economic-Political Counselor Philip
Kaplan for reasons 1.4 (b) and (d).

¶1. (C) Acting Econ/Pol Couns discussed reftel points August 28 with Franz-Josef Kuglitsch, MFA director for Southeast Europe. Kuglitsch said the GOA holds conflicting views regarding Serbia's proposal to refer the lawfulness of Kosovo's independence declaration to the International Court of Justice (ICJ). He said he and other MFA colleagues view Serbia's case as legally weak and politically foolish. They fear it could have a destabilizing effect in the Balkans and embolden hardliners in Serbia. At the same time, though, the GOA strongly supports the rule of law, and would therefore not vote against a resolution to refer the matter to the ICJ.

¶2. (C) Kuglitsch said the GOA is hoping the EU can agree on a common position when it addresses the issue at the September 9 meeting of legal experts in Brussels. If EU members reach a common position to support the resolution, then Austria would vote in favor; if they agree to oppose the resolution, then Austria would abstain, he said. Kuglitsch could not predict how Austria would vote if the EU fails to reach a common position.
Girard-diCarlo